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## DANN DORFMAN HERRELL AND SKILLMAN

A PROFESSIONAL CORPORATION

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October 1, 2003

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B. W.

COUNSELORS AT LAW  
ESTABLISHED 1973

PATENT, TRADEMARK  
AND COPYRIGHT LAW  
AND RELATED CAUSES

PROSECUTION  
LICENSING  
LITIGATION  
DISPUTE RESOLUTION

C. MARSHALL DANN (1977-2002)

TNJ & NY BARS ONLY

### UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application for National Phase  
Filing in the United States of  
Applicant: Jörg Peter Schür

Serial No.: 10/069,476

Examiner: Neil S. Levy

Filing Date: July 1, 2002

Group Art Unit: 1616

Based upon PCT/EP00/08344

Filed: August 25, 2000

Priority Date: August 25, 1999

For: "PLANT PROTECTION"

#### Certificate of Mailing Under 37 CFR § 1.8

I hereby certify that the document entitled ***Applicant's Amendment and Response Under 37 CFR § 1.111 To United States Patent and Trademark Office Examiner's Action*** is being deposited as first class mail, postage prepaid, with United States Postal Service under 37 CFR § 1.8 on the date indicated below in an envelope addressed to "MAIL STOP - RESPONSES - FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450."

October 1, 2003

Date

John S. Child, Jr.  
John S. Child, Jr.

#### Petition for Extension Under 37 CFR § 1.136(a)

***Applicant's Amendment and Response*** is to an United States Patent and Trademark Office Examiner's Action which was mailed August 1, 2003. The Office Action had a shortened statutory period for response set to expire one (1) months from August 1, 2003, on September 1, 2003. Applicant hereby petitions for a one-month extension of time from the September 1, 2003 deadline to October 1, 2003 to file its ***Amendment and Response*** Pursuant to 37 CFR § 1.111. The Extension Fee in the amount of \$55.00 (for a Small Entity) is enclosed.

John S. Child, Jr.  
John S. Child, Jr.

PTO Registration No. 28,833

#### Authorization To Charge Deposit Account

In the event the check is improper, or a fee calculation is in error, the Commissioner is authorized to charge any underpayment or credit any overpayment to the account of the undersigned attorneys, Account No. 04-1406. A duplicate copy of this sheet is enclosed for fee-processing, if necessary.

10/09/2003 HUUONG1 00000036 10069476

01 FC:2251

55.00 00

DANN DORFMAN HERRELL AND SKILLMAN

A Professional Corporation

John S. Child, Jr.  
John S. Child, Jr.

PTO Registration No. 28, 833

OCT 03 2003

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL**  
**for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$) 98.00

## Complete if Known

Application Number 10/069,476

Filing Date July 1, 2002

First Named Inventor Jorg Peter Schur

Examiner Name Neil S. Levy

Art Unit 1616

Attorney Docket No. von Kreisler.021

RECEIVED

OCT 15 2003

TECH CENTER 1000/2900

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number  
Deposit Account Name

04 - 1406

Dann, Dorfman, Herrell  
and Skillman

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$) 0

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
20**	0	9.00	0
Independent Claims	4	1	43.00
Multiple Dependent			0

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 43.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	55.00
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 55.00

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)

John S. Child, Jr.

Registration No.

28,833

Telephone

215-563-4100

Signature

John S. Child, Jr.

Date

October 1, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-03)  
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Application Number **10/069,476**  
Filing Date **July 1, 2002**  
First Named Inventor **Jorg Peter Schuch**  
Examiner Name **Neil S. Levy**  
Art Unit **1616**  
Attorney Docket No. **von Kreisler.021**

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

**04 - 1406**

**Dann, Dorfman, Herrell  
and Skillman**

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

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SUBTOTAL (1) (\$)					<b>0</b>

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid
Total Claims	<input type="text" value=""/>	-20** =	<input type="text" value="0"/>	X	<input type="text" value="9.00"/>	= <input type="text" value="0"/>
Independent Claims	<input type="text" value="4"/>	-3** =	<input type="text" value="1"/>	X	<input type="text" value="43.00"/>	= <input type="text" value="43.00"/>
Multiple Dependent						= <input type="text" value="0"/>

Large Entity		Small Entity		Fee Description	Fee Paid
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Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**55.00**

## SUBMITTED BY

Name (Print/Type) **John S. Child, Jr.**

Registration No.  
(Attorney/Agent)

**28,833**

Telephone **215-563-4100**

Signature

*John S. Child, Jr.*

Date **October 1, 2003**

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